

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - SE/Corner Wolf Avenue & Westminster Road (45 Westminister Road) 4th Election District - 3rd Councilmanic District Case No. 89-191-SPHA Chesapeake & Potomac Telephone Company of Maryland - Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The petitioner herein requests a special hearing to amend the site plans previously approved in Case Nos. 3934-X and 80-40-X to remove the special exceptions granted therein from the subject property, and a variance to permit a rear yard setback from a residential zone boundary line of 25 feet in lieu of the required 200 feet for a proposed 197-foot monopole in accordance with Petitioner's Exhibits 1A and 1B.

The Petitioner, by William J. Monaghan, Real Estate Representative, appeared, testified and was represented by Robert A. Hoffman, Esquire. There were no Protestants.

Testimony indicated that the subject property, known as 45 Westminister Road, consists of 1.15 acres zoned B.L.-C.C.C., and is improved with a two story brick building used as a telephone switching station. Mr. Monaghan testified Petitioners filed the Petition for Zoning Variance in September, 1988 at which time Petitioners were desirous of leasing space to Bell Atlantic Mobile Systems for purposes of constructing a 197-foot monopole antenna in the location shown in Petitioner's Exhibit 1A. At the time of filing, the adjoining property to the northwest was zoned D.R. 5.5, thereby necessitating the requested variance. At the hearing held on November 29, 1988, the case was continued as the adjoining D.R. 5.5 property was reclassified during the Comprehensive Map Process to B.L.-C.C.C., rendering the variance request as moot. Since the maps had

not been adopted at the time of the hearing, Petitioners requested a continuation pending the finalization of the mapping process. Petitioners are now requesting that the variance petition be dismissed.

Petitioners also argued that the requested petition for Special Hearing was appropriate for the reasons hereinafter set forth. Testimony proffered revealed that in October, 1956, Petitioners were granted a special exception in Case No. 3934-X to use the property for a telephone switching center. Petitioners argue that said use is permitted as of right pursuant to Section 230.9 of the Baltimore County Zoning Regulations (B.C.Z.R.), which provides that public utility service centers are permitted as of right in the B.L. zones. Further, Petitioners argue that the special exception granted in Case No. 80-40-X to permit a wireless transmitting and receiving structure, in particular, a 100-foot monopole, which was granted on August 23, 1979 by the then Zoning Commissioner, William E. Hammond, is no longer needed as Bill No. 64 passed in 1986 permits wireless transmitting and receiving structures to be 200 feet or less in height above ground level as a matter of right, pursuant to Section 230.9 of the B.C.Z.R. Petitioners are desirous of replacing the 100-foot monopole with a 197-foot high monopole.

The issue concerning the special hearing case is whether or not the switching station center, which was built pursuant to Case No. 3934-X, is permitted as of right under Section 230.9 as a "public utility service center" or, as noted by Counsel for Petitioners, pursuant to Section 230.13 of the B.C.Z.R. which requires a special exception for "public utility uses other than those noted in Sections 200.11 and 230.9." Mr. Monaghan testified it is his belief that a switching center should be considered a public utility service center as the switching station is the most critical aspect of

Petitioners' operation to provide telephone service to the public. Petitioners consider the two buildings on the subject property, a work center and the area where trucks and equipment are kept, as service centers.

In reviewing the 1955 zoning regulations, it is noted that Sections 230.9 and 230.13 remain unchanged. The use of the subject property has not changed. The property was granted a special exception use as a telephone switching station/service center in October, 1956 in Case No. 3934-X and said special exception continues to be required under Section 230.13. Therefore, the relief requested in the Petition for Special Hearing should be denied.

Pursuant to the advertisement, posting of the property and public hearing on these Petitions held, and for the reasons given above, the Petition for Zoning Variance should be dismissed as moot and the Petition for Special Hearing should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of July, 1989 that the Petition for Special Hearing to amend the site plans previously approved in Case Nos. 3934-X and 80-40-X to remove the special exceptions granted therein from the subject property, in accordance with Petitioner's Exhibits 1A and 1B, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a rear yard setback from a residential zone boundary line of 25 feet in lieu of the required 200 feet for a proposed 197-foot monopole, in accordance with Petitioner's Exhibits 1A and 1B, be and is hereby DISMISSED as moot.

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Baltimore County Zoning Commissioner Office of Planning & Zoning Townon, Maryland 21204 (301) 897-3253 J. Robert Hoffman Zoning Commissioner

July 9, 1990

Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE SE/Corner Wolf Avenue and Westminster Road (45 Westminister Road) 4th Election District - 3rd Councilmanic District Chesapeake & Potomac Telephone Company - Petitioners Case No. 89-191-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been denied and the Petition for Zoning Variance has been dismissed in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 897-3391.

Very truly yours,

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

AMN:bjs

cc: People's Counsel

File

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 806.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to zoning cases nos. 3934X and 80-40X to remove the special exceptions from the property.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s): Chesapeake and Potomac Telephone Company of Maryland. Signature: F.V. Masterman, Director of Real Estate & Planning. Address: 1 E. Pratt Street, Baltimore, Maryland 21202. Attorney for Petitioner: John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204. Attorney's Telephone No.: 823-4111.

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 426.1B to permit a rearward setback from a residential zone boundary line of 25 ft. in lieu of the required 200 ft.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

LESSEE: Bell Atlantic Mobile Systems, Inc. Signature: Harry R. Fischer, Manager-Real Estate & Planning. Address: 180 Mount Airy Road, Basking Ridge, NJ 07920. Legal Owner(s): Chesapeake and Potomac Telephone Company of Maryland. Signature: F.V. Masterman, Director of Real Estate & Planning. Address: 1 E. Pratt Street, Baltimore, Maryland 21202. Attorney for Petitioner: John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204. Attorney's Telephone No.: 832-4111.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day of September, 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 29th day of November, 1988, at 11 o'clock A.M.

ESTIMATED LENGTH OF HEARING - 1/2HR. AVAILABLE FOR HEARING - MON./TUES./WED. - NEXT TWO MONTHS. REVIEWED BY: J. Robert Hoffman, Zoning Commissioner of Baltimore County. DATE: 9-13-88.

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

KIDDE CONSULTANTS, INC. Subsidiary of Kidde, Inc.

1100 West Street Suite 100 Laurel, MD 20707 (301) 953-1821 (301) 792-8086

DESCRIPTION OF A 1.1492 ACRE PARCEL OF LAND OWNED BY THE CHESAPEAKE & POTOMAC TELEPHONE COMPANY OF MARYLAND

BEING PART OF THE LANDS WHICH BY DEED DATED DECEMBER 26, 1956 AND RECORDED AMONG THE LAND RECORDS OF BALTIMORE COUNTY IN LIBER 3079 AT FOLIO 276 WAS CONVEYED BY LEOLA MAY STOIPP TO THE CHESAPEAKE AND POTOMAC TELEPHONE COMPANY OF MARYLAND.

Beginning for the same at the intersection of the southerly right-of-way line of Westminster Road with a line of truncation from the easterly right-of-way line of Wolf Avenue (also known as Harvestview Road) as shown on Baltimore County Right-of-Way Plat No. HRW 57-095; thence running with and binding on the aforesaid right-of-way line of Westminster Road.

- 1) South 56 degrees 01 minutes 00 seconds East, a distance of 163.42 feet to a concrete monument found; thence
2) South 23 degrees 58 minutes 50 seconds West, a distance of 245.73 feet to an iron pin found; thence
3) North 56 degrees 01 minutes 00 seconds West, a distance of 229.10 feet to the aforesaid right-of-way line of Wolf Avenue; thence running with and binding on said right-of-way line

KIDDE CONSULTANTS, INC. Subsidiary of Kidde, Inc.

4) North 33 degrees 59 minutes 00 seconds East, a distance of 223.00 feet to a point on the aforesaid line of truncation between Wolf Avenue and Westminster Road; thence running with and binding on said line
5) North 84 degrees 25 minutes 42 seconds East, a distance of 29.83 feet to the point of beginning.

Containing 1.1492 acres of land, more or less.

Being part of the lands which by deed dated December 26, 1956 and recorded among the Land Records of Baltimore County in Liber 3079 at Folio 276 was conveyed by Leola May Stoipp to the Chesapeake and Potomac Telephone Company of Maryland.



ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

ORDER RECEIVED FOR FILING Date 7/9/89 By [Signature]

**BALTIMORE COUNTY, MARYLAND**  
INTEROFFICE CORRESPONDENCE

Date: November 15, 1988

TO: J. Robert Haines, Zoning Commissioner

FROM: Pat Keller, Deputy Director, Office of Planning and Zoning

SUBJECT: Zoning Petition No. 89-191-A

The applicant is requesting a variance to locate a 12' x 25' modular equipment building, underground fuel tank and utility service pole at the southeast corner of the lot. In reference to this request, staff provides the following information:

The proposed storage building is to be located at the southeast corner of the parcel. This area is the only section of the site presently wooded. In addition, the building will only be accessible through the secured parking spaces on the site. It appears as if the location of this building will result in additional disturbance to one of the few areas of remaining wooded cover. Due to the extensive nature of site, perhaps a more suitable location involving less site disturbances could be found.

Based upon the analysis conducted and information provided, staff recommends approval of the applicant's request subject to the following:

- the applicant shall work with the Office of Planning and Zoning to determine if a more suitable location is appropriate prior to a final recommendation by the Zoning Commissioner; and
- landscaping around the fenced area should be reviewed and approved by the County Landscape Planner; and
- the variances shall only apply to the site plan as shown or amended.

PK/ar

**RECEIVED**  
NOV 16 1988  
ZONING OFFICE

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353

DATE: 9/15/89

John B. Howard, Esq.  
210 Allegheny Avenue  
Towson, Maryland 21284

Re: Petition for Zoning Variance and Special Hearing  
CASE NUMBER: 89-191-ASP  
SEC Wolf Avenue and Westminster Road  
45 Westminster Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): C & P Telephone Company of Maryland  
Lessee: Bell Atlantic Mobile Systems, Inc.  
HEARING SCHEDULED: TUESDAY, SEPTEMBER 19, 1989 at 11:00 a.m.

Dear Mr. Howard:

Please be advised that \$ 39.83 is due for advertising and posting of the above captioned property.

**THIS FEE MUST BE PAID AND THE ZONING SIGN A POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN A POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.**

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign a post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign a post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

post set(s), there for each such set

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 9/17/89 ACCOUNT: R-00-015-000

AMOUNT: \$ 39.83

RECEIVED FROM: C & P Telephone Company

FOR: P.A. 9/19/89 (Case 89-191-ASP)

VALIDATION OR SIGNATURE OF CARRIER

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353

August 6, 1989

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance and Special Hearing  
CASE NUMBER: 89-191-ASP  
SEC Wolf Avenue and Westminster Road  
45 Westminster Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): C & P Telephone Company of Maryland  
Lessee: Bell Atlantic Mobile Systems, Inc.  
HEARING SCHEDULED: TUESDAY, SEPTEMBER 19, 1989 at 11:00 a.m.

Variance to permit a rear yard setback from a residential zone boundary line of 25 ft. in lieu of the required 200 ft.  
Special Hearing: An amendment to case nos. 8834X and 80-40-X to remove the special exception from the property.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

JRHgs  
cc: John B. Howard, Esq.  
File

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., August 29, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on August 21, 1989.

THE JEFFERSONIAN  
OWINGS MILLS TIMES,  
S. Zeke Olson  
Publisher

PO 16240  
reg 1434131  
ca 89-191-ASP  
price \$ 89.83

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

89-191-ASP

District: 4th  
Date of Posting: 8-28-89

Posted for: Variance and Special Hearing

Petitioner: C & P Telephone Company of Maryland

Location of property: SE Corner of Wolf Avenue and Westminster Road (45 Westminster Road)

Location of Sign: On front of 45 Westminster Road

Remarks: A.J. Drake

Date of return: 9-1-89

Posted by: A.J. Drake

RE: PETITION FOR VARIANCE BEFORE THE ZONING COMMISSIONER  
SE Corner Wolf Ave. & Westminster Rd. (45 Westminster Rd.) OF BALTIMORE COUNTY  
4th Election District;  
3rd Councilmanic District  
C & P TELEPHONE COMPANY OF MARYLAND, Petitioner  
Case No. 89-191-A

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Phyllis Cole Friedman  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 304, County Office Building  
Towson, Maryland 21284  
494-2188

I HEREBY CERTIFY that on this 26th day of October, 1988, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner; and Harry H. Fischer, Bell Atlantic Mobile Systems, Inc., 180 Mount Airy Rd.,asking Ridge, NJ 07920, Lessee.

Peter Max Zimmerman  
Peter Max Zimmerman

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
494-3353

Date: 11/10/88

John B. Howard, Esq.  
210 Allegheny Avenue  
Towson, Maryland 21204

Re: Petition for Zoning Variance  
CASE NUMBER: 89-191-A  
SEC Wolf Avenue and Westminster Road  
45 Westminster Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): C & P Telephone Company of Maryland  
Lessee: Bell Atlantic Mobile Systems, Inc.  
HEARING SCHEDULED: TUESDAY, NOVEMBER 29, 1988 at 11:00 a.m.

Dear Mr. Howard:

Please be advised that \$ 89.25 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

**THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.**

Please make your check payable to Baltimore County, Maryland and bring the check and the sign and post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

post set(s), there for each set not

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE: 11/17/88 ACCOUNT: R-01-815-000

AMOUNT: \$ 89.25

RECEIVED FROM: Bell Atlantic Mobile

FOR: Posting and Advertising 11/29/88 Hearing

VALIDATION OR SIGNATURE OF CARRIER

**Baltimore County**  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
494-3353

J. Robert Haines  
Zoning Commissioner

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-191-A  
SEC Wolf Avenue and Westminster Road  
45 Westminster Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): C & P Telephone Company of Maryland  
Lessee: Bell Atlantic Mobile Systems, Inc.  
HEARING SCHEDULED: TUESDAY, NOVEMBER 29, 1988 at 11:00 a.m.

Variance to permit a rear yard setback from a residential zone boundary line of 25 ft. in lieu of the required 200 ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: C & P Telephone of MD  
Bell Atlantic Mobile Systems  
John B. Howard, Esq.  
File

\*NOTE\*  
IF PHASE II OF THE SNOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m., ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, DECEMBER 22, 1988. PLEASE TELEPHONE DOCKET CLERK AT 494-3391 TO CONFIRM DATE.

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

89-191-A

District: 4th  
Date of Posting: November 9, 1988

Posted for: Variance

Petitioner: C & P Telephone of Maryland

Location of property: SE Corner of Wolf Avenue and Westminster Road (45 Westminster Road)

Location of Sign: In front of subject property at the Westminster Road

Remarks:

Date of return: November 12, 1988

Posted by: S. J. Drake

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., November 3, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 3, 1988.

THE JEFFERSONIAN  
S. Zeke Olson  
Publisher

PO 05762  
reg 120395  
ca 89-191-A  
price \$ 43.13

**NOTICE OF HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-191-A  
SEC Wolf Avenue and Westminster Road  
45 Westminster Road  
4th Election District - 3rd Councilmanic  
Legal Owner(s): C & P Telephone Company of Maryland  
Lessee: Bell Atlantic Mobile Systems, Inc.  
HEARING SCHEDULED: TUESDAY, NOVEMBER 29, 1988 at 11:00 a.m.

Variance to permit a rear yard setback from a residential zone boundary line of 25 ft. in lieu of the required 200 ft.

IF PHASE II OF THE SNOW EMERGENCY PLAN IS IN EFFECT ON THE DATE, CASE MAY BE RESCHEDULED. CALL 494-3391 TO CONFIRM DATE.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

November 16, 1988

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: Item No. 105 - Case No. 89-191-A  
Petitioner: Bell Atlantic Mobile Systems, Inc. - Lessee  
Chesapeake and Potomac Telephone Company of  
Maryland - Legal Owner  
Petition for Zoning Variance

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:dt

cc: Kidde Consultants, Inc.  
1100 West Street Suite 100  
Laurel, MD 20707

- MEMBERS
- Bureau of Engineering
  - Department of Traffic Engineering
  - State Roads Commission
  - Bureau of Fire Prevention
  - Health Department
  - Project Planning
  - Building Department
  - Board of Education
  - Zoning Administration
  - Industrial Development



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

September 30, 1988

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Baltimore County  
Chesapeake & Potomac  
Telephone Company  
Zoning Meeting of 9-27-88  
S/S Westminster Pike  
MD 140, and Wolfe Ave.  
(Item #105)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a variance to permit a rear yard setback from a residential zone boundary line of 25' in lieu of the required 200', we find the plan acceptable.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

*Richard H. Trainor*  
Richard H. Trainor, Jr., Chief  
Bureau of Engineering  
Access Permits

LB:maw

cc: Kidde Consultants, Inc.  
Mr. J. Ogle

RECEIVED  
OCT 4 1988  
ZONING OFFICE

teletypewriter for impaired hearing or speech

383-7555 Baltimore Metro - 885-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
494-3554

October 28, 1988



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 105, 106, 108, 109, 110, 111, 113, and 114.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Engineering Associate

MSF/lvw

RECEIVED  
NOV 9 1988  
ZONING OFFICE

Baltimore County  
Fire Department  
Towson, Maryland 21204-2536  
494-4500

Paul H. Reincke  
Chief

September 28, 1988

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204



Dennis F. Rasmussen  
County Executive

Re: Property Owner: Legal Owner - C & P Telephone Co. of Md.  
Lessee - Bell Atlantic Mobile Systems, Inc.  
Location: SE/c Wolfe Avenue & Westminster Road  
45 Westminster  
Item No.: 105

Zoning Agenda: Meeting of 9/27/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- ( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or \_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER *Capt. Jeff Kelly 9-28-88*  
Planning Group  
Special Inspection Division

Noted and Approved: *John F. O'Neill*  
Fire Prevention Bureau

/j1

89-191-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this  
28th day of September, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: Bell Atlantic Mobile Systems, Inc. - Lessee  
Petitioner: C & P Tele Co. of Md. - 10  
Attorney: John B. Howard

Received by: *James E. Dyer*  
Chairman, Zoning Plans Advisory Committee





Petitioners exhibits 2. &

3 Refer to micro copy

of Case

3934

80-40-X

and Commercial permit

C#

C-1528-79